

CPH

UNITED STATES DISTRICT COURT

2008 MAY -2 AM 9:41

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Carlos Alan GOMEZ-Mondragon

Defendant.

'08 MJ 1383

Magistrate Case No.

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Sec.

1324(a)(2)(B)(iii) -

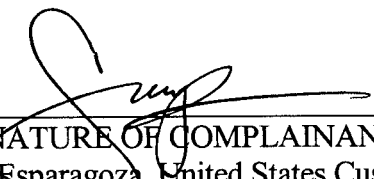
Bringing in Alien(s) Without

Presentation (Felony)

The undersigned complainant, being duly sworn, states:

That on or about **May 1, 2008**, within the Southern District of California, defendant **Carlos Alan GOMEZ-Mondragon**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Vanessa ISLAS-Morales**, **Abdon AQUINO-Perez**, and **Pedro SANCHEZ-Venegas** had not received prior official authorization to come to, enter and reside in the United States, did attempt to bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **2nd** DAY OF **May 2008**.


UNITED STATES MAGISTRATE JUDGE

CPH

PROBABLE CAUSE STATEMENT

The complainant states that **Vanessa ISLAS-Morales, Abdon AQUINO-Perez, and Pedro SANCHEZ-Venegas**, are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On May 1, 2008 at approximately 1825 hours, **Carlos Alan GOMEZ-Mondragon (Defendant)** made application for admission into the United States at the San Ysidro Port of Entry as the driver of a red Pontiac Grand Am. Defendant presented a DSP-150 Laser Visa card bearing the name Eduardo Hugo Ramirez Cuevas to Customs and Border Protection (CBP) Officer. The CBP Officer received a negative customs declaration from Defendant who stated he was going to San Diego. During an inspection of the vehicle, the CBP Officer discovered several individuals concealed in the trunk. CBP Officers escorted the vehicle and its occupants to secondary for further inspection.

In secondary, CBP Officers removed four individuals from within the trunk of the vehicle. All four were determined to be citizens of Mexico without legal documentation to enter the United States. Three individuals were retained as Material Witnesses and are now identified as: **Vanessa ISLAS-Morales (MW1), Abdon AQUINO-Perez (MW2), and Pedro SANCHEZ-Venegas (MW3)**.

During a videotaped proceeding, Defendant was advised of his Miranda Rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted an unknown man provided him with the DSP-150 Laser Visa card and the vehicle loaded with four individuals concealed in the trunk. Defendant stated the unknown man was going to waive his smuggling fee and pay him \$500.00 (USD) for driving the vehicle into the United States. Defendant stated he was instructed to drive the vehicle to "E" Street in Chula Vista, California.

Videotaped interviews were conducted with Material Witnesses. All three Material Witnesses stated they are citizens of Mexico without legal documents to enter or reside in the United States. All three Material Witnesses stated they made arrangements with unknown individuals in Tijuana and were to pay \$2000.00 (USD) each to be smuggled into the United States. All three Material Witnesses stated they intended to travel to the United States to seek employment.